

E-557-1

UNITED STATES DEPARTMENT OF COMMERCE
BUREAU OF EXPORT ADMINISTRATION
WASHINGTON, D.C. 20230

In the Matter of:

JAMES J. GATO

individually with an address at

5 Naumkeag Road
Peabody, Massachusetts 01960

and with an address c/o

Mass Computer Group, Inc.
79R Walnut Street
Peabody, Massachusetts 01960,

Respondent

ORDER

On April 9, 1996, then-Assistant Secretary for Export Enforcement John Despres entered an Order implementing the terms of a Consent Agreement between the Office of Export Enforcement, Bureau of Export Administration, U.S. Department of Commerce (BXA), and James J. Gato, individually with an address at 5 Naumkeag Road, Peabody, Massachusetts 01960 and with an address c/o Mass Computer Group, Inc., 79R Walnut Street, Peabody, Massachusetts 01960 (hereinafter collectively referred to as Gato), imposing a civil penalty and denial of export privileges against Gato. Pursuant to the terms of the Order, Gato was assessed a civil penalty of \$5,000, \$3,000 of which was due within 30 days of entry of the Order, and he was denied export privileges for five years. Payment of the remaining \$2,000 was suspended for five years from the date of entry of the Order and

then was to be waived, provided that, during the period of suspension, Gato committed no violation of the Act, or any regulation, order, or license issued thereunder.

Gato failed to pay any of the \$3,000 portion of the \$5,000 civil penalty as required by the Order. BXA and Gato have jointly moved that I modify the terms of the April 9, 1996 Order. Based on their Motion to Modify, I hereby grant their motion.

Accordingly, the Order of April 9, 1996, is modified as follows:

Payment of the outstanding civil penalty of \$3,000 due under the terms of the Order, as herein modified, shall be made to BXA, in accordance with the instructions attached to the April 9, 1996 Order, in two equal installments of \$1,500. The first installment of \$1,500 is due on or before July 25, 1997, with payment of the remaining \$1,500 being due on or before August 25, 1997.

In all other respects, the Order of April 9, 1996, remains in full force and effect.

This Order is effective immediately.

Date: July 13, 1997

Frank W. Deliberti
Frank W. Deliberti
Acting Assistant Secretary
for Export Enforcement